

## REQUEST FOR COUNCIL ACTION

**SUBJECT:** Amendment No. 2 with Landmark Design for Ron Wood Park Phase II

**SUMMARY:** Approve Amendment No. 2 to the Agreement with Landmark Design for additional services for the revised playground design for Ron Wood Park Phase II in an amount not-to-exceed \$3,000.00.

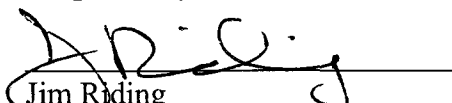
**FISCAL IMPACT:** Funding for this project is available through park impact fees.

**STAFF RECOMMENDATION:**  
Staff recommends approval of Amendment No. 2 to the Agreement with Landmark Design for additional services for the revised playground design for Ron Wood Park Phase II in an amount not-to-exceed \$3,000.00.

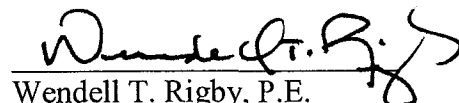
**MOTION RECOMMENDED:**  
"I move to adopt Resolution No. 14-92 authorizing the Mayor to execute Amendment No. 2 to the Agreement with Landmark Design for additional services for the revised playground design for Ron Wood Park Phase II in an amount not-to-exceed \$3,000.00.

Roll Call vote required.

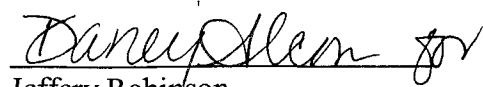
**Prepared by:**

  
Jim Riding  
Construction Manager


**Reviewed by:**

  
Wendell T. Rigby, P.E.  
Director of Public Works

**Reviewed as to Legal Sufficiency:**

  
Jeffery Robinson  
City Attorney

**Recommended by:**

  
Richard L. Davis  
City Manager

## **BACKGROUND DISCUSSION:**

### **Attachments:**

City Council had requested the playground at Ron Wood Park be enlarged and made accessible to all children. This required additional civil engineering and design changes to the site by Landmark Design in the amount of \$3,000.00.

Amendment  
Resolution

THE CITY OF WEST JORDAN, UTAH

A Municipal Corporation  
RESOLUTION NO. 14-92

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NO. 2 TO THE  
AGREEMENT BETWEEN THE CITY AND LANDMARK DESIGN

**WHEREAS**, the City Council of the City of West Jordan has reviewed Amendment No. 2 to the Agreement between the City of West Jordan and Landmark Design (a copy of which is attached) for additional services for the revised playground design for Ron Wood Park Phase II in an amount not-to-exceed \$3,000.00; and

Whereas, the City Council desires to execute Amendment No. 2 to the Agreement with Landmark Design which award shall not be binding upon the City of West Jordan unless and until the Amendment is fully executed by the parties; and

Whereas, the proposed Amendment No. 2 to the Agreement between the City of West Jordan and Landmark Design for additional services for the revised playground design for Ron Wood Park Phase II in an amount not-to-exceed \$3,000.00 has been reviewed; and

Whereas, the City Council of the City of West Jordan has determined that the attached Amendment No. 2 to the Agreement with Landmark Design for an amount not-to-exceed \$3,000.00 is acceptable.

NOW, THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF WEST JORDAN, UTAH, THAT:

Section 1. After approval as to legal form, the Mayor is hereby authorized and directed to execute Amendment No. 2 to the Agreement between the City of West Jordan and Landmark Design, for an amount not to exceed \$3,000.00.

Section 2. This Resolution shall take effect immediately upon passage.

Adopted by the City Council of West Jordan, Utah this 28<sup>th</sup> day of May 2014.

CITY OF WEST JORDAN

ATTEST:

By: \_\_\_\_\_  
Mayor Kim V. Rolfe

\_\_\_\_\_  
MELANIE BRIGGS  
City Recorder

Voting by the City Council	"AYE"	"NAY"
Jeff Haaga	_____	_____
Judy Hansen	_____	_____
Chris McConnehey	_____	_____
Chad Nichols	_____	_____
Ben Southworth	_____	_____
Justin D. Stoker	_____	_____
Mayor Kim V. Rolfe	_____	_____

**AMENDMENT NO. 2**  
**TO AN AGREEMENT**  
**FOR PROFESSIONAL SERVICES**  
**BEWTEEN THE CITY OF WEST JORDAN**  
**AND**  
*Landmark Design*

THIS AMENDMENT, made and entered into this 28<sup>th</sup> day of May 2014 by and between the CITY OF WEST JORDAN, a municipal corporation (hereinafter referred to as "City"), and Landmark Design (hereinafter referred to as "Consultant").

The City and Consultant agree as to amend the following sections of the original Professional Services Agreement to provide for additional engineering services for the Ron Wood Park Project.

2. **DESCRIPTION OF SERVICES**

The services to be performed by Consultant are as follows:

Provide additional construction management services and design of a playground memorial wall for the Project as described in the attached Consultant's proposal date November 18, 2013.

3. **COMPENSATION AND PAYMENT**

The total compensation payable to Consultant by City for the services described in Paragraph 2 shall not exceed the sum of **\$3,000.00** for Amendment No. 2 bringing the total not-to exceed fee to \$160,365.00 for services under this contract and fee shall be earned on an hourly basis as indicated in the Professional Services Agreement.

In concurrence and witness whereof, this Agreement has been executed by the parties effective on the date and year first above written.

CITY OF WEST JORDAN

\_\_\_\_\_  
Kim V. Rolfe, Mayor

APPROVED AS TO ADMINISTRATION:

\_\_\_\_\_  
Melanie Briggs, MMC  
City Recorder

CONSULTANT

By: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF \_\_\_\_\_)

:SS

COUNTY OF \_\_\_\_\_)

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, personally appeared before me,  
\_\_\_\_\_, who being by me duly sworn did say that he is the  
\_\_\_\_\_ of \_\_\_\_\_, a  
corporation, and that the foregoing instrument was signed in behalf of said corporation by  
authority of its Board of Directors, and he acknowledged to me that said corporation executed the  
same.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:

Residing in \_\_\_\_\_ County, \_\_\_\_\_

**EXHIBIT A**

(Consultant Proposal)

## Jim Riding

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**From:** mark vlastic <markv@ldi-ut.com>  
**Sent:** Monday, November 18, 2013 2:02 PM  
**To:** Jim Riding  
**Cc:** Hugh Holt  
**Subject:** Ron Wood Park - Additional Services Proposal

Hi Jim,

As detailed below, our proposal for Additional Services related to the Revised Playground design, including all engineering services and future selection meetings is **\$3000**.

<b>Landmark Design:</b>	<b>\$1750</b>
Hugh Holt: 11 hours x \$110	
Mark Vlastic: 4 hours x \$135	

<b>Great Basin</b>	<b>\$1250</b>
<b>TOTAL</b>	<b>\$3000</b>

Please let me know if this is sufficient, or if you would like a more formal proposal.

On a similar note, I was wondering how you would like us to proceed with CA services in light of extending the project completion date. I have not yet done a full assessment of hours expended to date, although we are certainly approaching our limit if we haven't already exceeded it. I assume the project is likely to shut down or be on slow-burn over the winter; if it makes sense we can provide an estimate of additional hours necessary, based on a spring completion date.

Thanks.

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Mark Vlastic, PLA, ASLA, AICP  
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Salt Lake City, Utah 84106  
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801.718.4353 (MOBILE)  
www.ldi-ut.com